

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAMON COOKE,

Petitioner,

v.

JOSE SOLIS, Warden, California  
Training Facility-Central; et al.,

Respondents.

No. 04-4439 CW

ORDER VACATING  
JUNE 24, 2010  
ORDER IN PART AND  
CLOSING CASE

On June 24, 2010, based on the Ninth Circuit's June 11, 2010 decision reversing the October 6, 2005 judgment denying Petitioner Damon Cooke's habeas corpus petition, the Court granted Cooke a writ of habeas corpus. In Swarthout v. Cooke, 131 S. Ct. 859 (2011), the United States Supreme Court reversed the Ninth Circuit's decision. On May 31, 2011, following remand, the Ninth Circuit affirmed the October 6, 2005 judgment. On June 22, 2011, the Ninth Circuit's mandate issued.

Accordingly, the Court VACATES its June 24, 2010 Order, to the extent it granted Cooke's petition for a writ of habeas corpus.

The Clerk shall close the file.

IT IS SO ORDERED.

Dated: 6/23/2011



CLAUDIA WILKEN  
United States District Judge